

## **EXHIBIT B**

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MASSACHUSETTS

JUDITH THIBEAU  
and GEORGE THIBEAU,  
Plaintiffs,

Docket No. 04-10643MLW

v.

UNITED STATES OF AMERICA  
and EAST BOSTON NEIGHBORHOOD  
HEALTH CENTER CORPORATION  
Defendants.

**PLAINTIFF JUDITH THIBEAU'S FIRST SET OF REQUESTS FOR  
PRODUCTION OF DOCUMENTS TO DEFENDANT UNITED STATES OF  
AMERICA**

Now comes the plaintiff, Judith ThibEAU, and pursuant to Rule 34 of the Federal Rules of Civil Procedure, requests that the defendant, East Boston Neighborhood Health Center Corporation, produce the following documents for inspection and copying at the offices of counsel of James L. Frederick, Esq., Koufman & Frederick, 1330 Beacon Street, Suite 311, Brookline, MA 02446 within 30 days of the receipt of this document.

1. Any and all contracts, letters, statutes, regulation and/or documents that govern the relationship between any agency of the United States of America (including but not limited to the Department of Health and Human Services) and the East Boston Neighborhood Health Center Corporation and the Eye Clinic and/or Vision Center located on the second floor of the building located at 79 Paris St., East Boston.
2. All notes, measurements, photos and or reports written or prepared as a result of any investigation by any persons who investigated and/or responded to plaintiff Judith ThibEAU's accident of September 26, 2002.
3. The label of the eye drops administered to Ms. ThibEAU's eyes as part of her examination at the Eye Clinic and/or Vision Center on September 26, 2002.
4. Any and all written policies governing warnings to be given to patients (such as plaintiff

Judith Thibeu) regarding the effect(s) of dilation on the patient's vision resulting from the administration of dilating eye drops, which was in effect on September 26, 2002.

5. Copies of all notices and/or signs posted in the Eye Clinic and/or Vision Center on the second floor and/or outside of the doors to the Eye Clinic/Vision Center which stated that there was an elevator in service and/or available for patients to travel from the second floor to the ground floor of that building.

6. All statements, signed or unsigned, written or recorded, which were taken from or given by this defendant, its agents, servants or employees, concerning plaintiff Judith Thibeu's accident and the cause of such accident.

7. All reports of any inspection(s), assessments, appraisals, reviews conducted and/or prepared from 1/1/97 to the present of the elevator, stairway(s), landings, stairway handrails, lighting in the stairway(s) and signage located inside of the building at 79 Paris Street, East Boston.

8. True copies of all reports filed or completed on behalf of the defendant regarding the occurrence of Judith Thibeu's accident and submitted to any governmental agency, whether federal, state or local.

9. True copies of any and all reports of any and all experts with regard to the occurrence of Judith Thibeu's accident and the cause thereof.

10. True copies of all accident reports, reports of injury, notes, memos or other documents prepared by or on behalf of the defendant and utilized to report the occurrence of the alleged accident to any insurer, or any governmental agency.

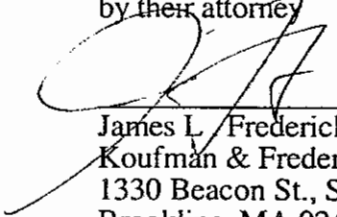
11. Copies of any and all applications, notices, proofs of loss, reports, letters or correspondence sent or submitted by this defendant to any insurance company, agent, broker, adjuster or investigator dealing with any issue arising out of the Judith Thibeu's accident of

September 26, 2002.

12. If any insurer has undertaken to defend this defendant under any reservation of rights or non waiver agreement, each document (including all correspondence) relating to any such reservation of rights or non waiver agreement.
13. Copies of any written periodic safety audits and/or safety inspection reports of the premises located in the building at 79 Paris Street, East Boston, including but not limited the second floor of such building, conducted from January 1, 1997 to the present.
14. Copies of any and all written safety policies (in effect on September 26, 2002) for the conduct of the operations of the East Boston Neighborhood Health Center and/or Eye Clinic and/or Vision Center located at 79 Paris Street and the safety and conditions and maintenance of the premises of such entities.
15. Copies of any and all written safety guidelines and practices (in effect on September 26, 2002) to be followed by the employees and staff of the East Boston Neighborhood Health Center and/or the Eye Clinic or Vision Center of the East Boston Neighborhood Health Center .
16. Copies of any and all routine checklist(s) or mechanism(s) (in effect on September 26, 2002) used to record that whether patients of the Eye Clinic and/or Vision Center of the East Boston Neighborhood Health Center have been warned of potential side effects of eye dilation.
17. Any written lease and/or rental and/or management agreement for any portion of the premises located at 79 Paris Street, East Boston which was in effect on September 26, 2002.
18. Any contracts and/or invoices and/or correspondence regarding structural changes (including but not limited to: additions, renovations, demolition, rebuilding, construction, modification, repair, removal and/or replacement) to any and/or all stairways (including but not limited to treads, handrails, landings, and lighting of such stairways) in the building located at 79 Paris Street between 1/1/97 and the present.

19. Any contracts and/or invoices and/or correspondence regarding the installation of the elevator that existed in the building at 79 Paris Street on September 26, 2002.
20. Any contracts and/or invoices and/or correspondence regarding any repair(s) and/or modification(s) of the elevator that existed in the building at 79 Paris Street on September 26, 2002.
21. Any reports and/or inspections and/or correspondence issued by any agency of state or federal government regarding the elevator that existed in the building at 79 Paris Street on September 26, 2002.
22. Copies of all Eye Clinic Progress Notes prepared for any patient for a period of one month prior to September 26, 2002 [i.e. August 26 to September 26, 2002], with all information that would identify the patient redacted from the requested copies.

Plaintiffs  
Judith and George Thibau  
by their attorney



James L. Frederick  
Koufman & Frederick, LLP  
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Brookline, MA 02446

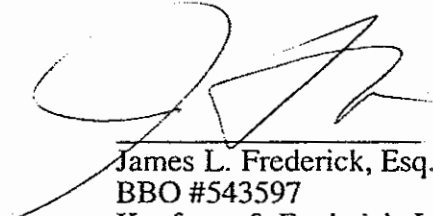
**CERTIFICATE OF SERVICE**

The undersigned attorney certifies that a copy of the foregoing pleading was served upon the following attorney(s) VIA FIRST CLASS MAIL:

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DATED: 12/29, 2004



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